

Message Text

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TO SECSTATE WASHDC PRIORITY 4552

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EO 11652: NA

TAGS: CARR

SUBJ: LEGAL REPRESENTATION AVAILABLE TO AMERICANS ARRESTED
ABROAD

REF: STATE 147704

THE SWISS FEDERAL DEPT OF JUSTICE AND POLICE ANSWERED THE
QUESTIONS RAISED IN REFTEL AS FOLS:

A) LEGAL COUNSEL IS PROVIDED GRATIS TO PRISONER,
INCLUDING AMCITS, PROVIDED THAT 1) THEY ARE UNABLE TO FUND
PRIVATE COUNSEL AND 2) THE CASE IS NOT ABSOLUTELY HOPELESS.
THE JUDICIAL AUTHORITIES OF THE FOLLOWING CANTONS, HOWEVER,
AUTHORIZE FREE LEGAL COUNSEL TO NON-SWISS CITIZENS ONLY ON
THE PRINCIPLE OF RECIPROCITY OFFERED BY THEIR RESPECTIVE
HOMESTATE: BERN, BASEL-LAND, SCHAFFHAUSEN, APPENZEL A.-RH.,
APPENZEL I.-RH., GRAUBUENDEN, AARGAU, GENEVA, URI, ZUG,
ST GALLER, THURGAU, FRIBOURG AND VAUD.

B) SUCH LEGAL REPRESENTATION IS READILY AVAILABLE. LAWYERS
ENTRUSTED WITH SUCH DUTIES BY THE APPROPRIATE COURT MUST
ACCEPT THIS APPOINTMENT.

C) THE FEDERAL DEPT OF JUSTICE AND POLICE ASSURED THE
EMBASSY THAT THERE IS NO DIFFERENCE IN QUALITY OF PUBLICLY
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OR PRIVATELY FUNDED LEGAL ASSISTANCE. IF A LAW OFFICE
ENTRUSTS A YOUNG CANDIDATE ATTORNEY WITH A PUBLICLY FUNDED
CASE, IT WOULD ALWAYS BE UNDER THE SUPERVISION OF AN
EXPERIENCED LAWYER.
DAVIS

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Message Attributes

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